South Carolina Department of Health and Human Services
Pervasive Developmental Disorder Waiver
Transition Plan Outline
September 2014

I. Introduction
The Center for Medicare and Medicaid Services (CMS) issued a final rule on Home and Community Based Services (HCBS) establishing certain requirements for home and community based services that are provided through Medicaid waivers, like the Pervasive Developmental Disorder Waiver. There are specific requirements for where home and community based services are received called “settings requirements.”

CMS requires that each state submit a “Transition Plan” for each waiver renewal or amendment between March 2014 and March 2015. The Transition Plan outlines how the state will come into conformance and compliance with the HCBS Rule. Once any waiver renewal or amendment is submitted to CMS with the waiver specific Transition Plan, the state must then submit, 120 days later, a “Statewide Transition Plan” that outlines how the state will come into conformance with the new requirements of the HCBS Rule. States must come into full compliance with HCBS Rule requirements by March 17, 2019.

This is the Transition Plan for the PDD Waiver Renewal. Per CMS requirements, this is available for the public to read and comment on before being submitted to CMS for review when the renewal is submitted.

The Transition Plan, even once submitted, may need to change and evolve as the state goes through the process of coming into compliance with the HCBS Rule. If the Transition Plan does change after submission to CMS, the state will make it available for public comment and input.

II. Home and Community Based Settings Requirements
CMS has listed the following as the requirements of settings where home and community based services are provided. They must have the following qualities:

- Be integrated in and support full access of individuals receiving Medicaid HCBS to the greater community
- Include opportunities to seek employment and work in competitive integrated settings
- Allow individuals to control personal resources
- Setting must be selected by the individual from among setting options, including non-disability specific settings (this includes an option for a private unit in a residential setting)
- Setting options are identified and documented in the person-centered service plan
- Ensures an individual’s rights of privacy, dignity and respect, and freedom from coercion and restraint
- Optimizes individual initiative, autonomy, and independence in making life choices
Facilitates individual choice regarding services and supports and who provides them

A. Assessment of Facilities to determine HCBS Rule compliance
   Because of the settings where the PDD services are received, primarily in the home with the participant option to utilize a clinical setting on occasion, an assessment for compliance with the HCB settings requirements would not be necessary.

B. Assessment of Regulations, Standards, Policies, Licensing Requirements, and other Provider Requirements
   1. As part of the larger scope of the Statewide Transition Plan, SCDHHS will be reviewing all policies, procedures, and provider requirements to ensure compliance with the new settings standards and the person-centered planning standards.
   2. The review of policies will include those from other state agencies that set standards for providers.

C. Day Facilities:
   This waiver provides services primarily in the participants’ homes. Participants do have the option of receiving some of their services in a clinical setting. The clinical setting would be set in the larger community and would be chosen by the participant. Therefore, it is presumed that this environment would meet the settings characteristics outlined in the HCB Rule.

D. Residential:
   This waiver provides services in the participants’ homes. No other residential facilities are utilized in the provision of services. Participant’s homes are considered private homes and those settings are presumed to be home and community based. Therefore, it is presumed that their home environment would meet the settings characteristics outlined in the HCBS Rule.

III. Communications
    A. Initial Plan Development
       SCDHHS formed a Workgroup to address and solicit input on how the state could come into compliance with the HCBS rule, including the PDD waiver renewal.
       This group is composed of members of:
       SC Department of Health and Human Services
       SC Department of Mental Health
       SC Department of Disabilities and Special Needs
       SC Vocational Rehabilitation
       Advocacy groups:
       AARP
       Family Connections
       Protection & Advocacy
       Providers:
       Local Disabilities and Special Needs Boards
       Housing providers for Mentally Ill population
       Adult Day Health Care Providers
       Private Providers of Medicaid and HCBS services
Beneficiaries and family members, along with other advocacy groups, have also been recently added to the workgroup membership. The large workgroup broke into smaller workgroups to address different tasks of coming into compliance with the HCBS Rule, including a waiver renewal workgroup. The large group meets monthly to discuss the progress of the smaller workgroups and to discuss issues and concerns and the overall vision of how the state can come into compliance with the new regulation.

B. Public Notice and Comment on Waiver Renewal

1. SCDHHS has developed policy to provide multiple methods of public notice and input on waiver renewals which also includes its accompanying transition plan.
   - The MCAC was provided advisories on the HCBS Rule and the PDD waiver renewal and transition plan on May 13, 2014 and July 8, 2014.
   - Tribal Notification was provided on June 5 and 23, 2014. Tribal conference call for the waiver renewal and transition plan was held June 25, 2014.
   - Public notice for comment on the PDD waiver renewal and transition plan was posted on the SCDHHS website on August 6, 2014.
   - Public notice for comment on the PDD waiver renewal and transition plan was sent out via the SCDHHS listserv on August 6, 2014.
   - Several public meetings were held to discuss the PDD waiver renewal and its transition plan, as well as the HCBS Rule and what it means for South Carolina beneficiaries.
     Four public forums were held in August 2014 on the PDD waiver renewal and the HCBS Rule in the following cities:
     - Columbia, SC (Aug. 12, 2014)
     - Florence, SC (Aug. 19, 2014)
     - Greenville, SC (Aug. 21, 2014)
   - Public comments were gathered from the public meetings listed above, from electronic communications sent to SCDHHS, and from any communications mailed to SCDHHS. They were compiled into a document and attached here.
   - SCDHHS reviewed the comments and incorporated any appropriate changes to the waiver renewal and its transition plan based on public comments.
## South Carolina Home and Community Based Services Transition Plan Timeline
### Pervasive Developmental Disorder (PDD) Waiver Renewal

### Section 1. Identification

<table>
<thead>
<tr>
<th>Action Item</th>
<th>Description</th>
<th>Start Date</th>
<th>End Date</th>
<th>Sources</th>
<th>Stakeholders</th>
<th>Intervention/Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identify Day Programs</td>
<td>Identify the number of Day programs serving individuals in waiver</td>
<td>March 2014</td>
<td>April 2014</td>
<td>SCDDSN</td>
<td>SCDHHS, SCDDSN</td>
<td>As the services in this waiver are primarily offered at an individual’s home, or in a clinical setting chosen by the individual/family, settings are presumed to be in compliance based on setting definitions in the HCBS Rule. No Assessment needed</td>
</tr>
<tr>
<td>Identify Residential programs</td>
<td>Identify the number and type of residential programs serving individuals in waiver</td>
<td>March 2014</td>
<td>April 2014</td>
<td>SCDDSN</td>
<td>SCDHHS, SCDDSN</td>
<td>As the services in this waiver are primarily offered at an individual’s home, settings are presumed to be in compliance based on setting definitions in the HCBS Rule. No Assessment needed</td>
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### Section 2. Assessment

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<tr>
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<tbody>
<tr>
<td>Review existing policies, procedures, and other standards for providers</td>
<td>Review existing policies, procedures, qualification standards, licensure regulations, provider training, and other related policies to determine conformance to the HCBS Rule.</td>
<td>October 2014</td>
<td>January 2015</td>
<td>SCDHHS policies, SCDDSN policies, other state agency regulations as appropriate, SCDHHS provider enrollment</td>
<td>SCDHHS, SCDDSN</td>
<td>Determine policy compliance with standards</td>
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### Section 3. Corrective Action

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<tr>
<td>Policy Revisions</td>
<td>SCDHHS will review and revise policies to reflect HCBS regulations as well as ongoing monitoring and compliance</td>
<td>January 2015</td>
<td>December 2015</td>
<td>CMS Guidance, CFR, SCDHHS policy manuals</td>
<td>SCDHHS, Partner agencies, providers, beneficiaries, families, advocacy groups</td>
<td>Policies reflect HCBS requirements</td>
</tr>
<tr>
<td>Provider Training and Education</td>
<td>SCDHHS will develop and provide training and education to providers to ensure understanding of HCBS rule requirements, ensure ongoing compliance with requirements</td>
<td>January 2015</td>
<td>December 2015</td>
<td>CMS Guidance, CFR, SCDHHS policies,</td>
<td>SCDHHS, partner agencies, providers</td>
<td>Educate providers on HCBS rule and its requirements</td>
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## Section 4. Communications

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<tr>
<td>Form Stakeholder workgroup</td>
<td>Invited various stakeholders to come together to address new HCBS Final Rule and provide input on plans to come into compliance</td>
<td>February 26, 2014</td>
<td>December 2015</td>
<td>Partner Agencies, Advocacy groups, providers, beneficiaries, and families</td>
<td>Monthly Workgroup meetings; more frequent subgroup meetings on Waiver renewals</td>
<td></td>
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<tr>
<td>Form Waiver Renewal Subgroup</td>
<td>Participants from larger group invited to participate on waiver renewal subgroup to address proposed waiver changes, content of waiver renewal transition plan</td>
<td>March 18, 2014</td>
<td>July 28, 2014</td>
<td>CMS Guidance, CFR</td>
<td>Weekly subgroup renewal meetings Draft Transition Plan developed for Waiver renewals Draft HIPAA Form developed for Person-centered planning</td>
<td></td>
</tr>
<tr>
<td>Provide Notice to MCAC</td>
<td>Provide notice of the Waiver Renewals and the Transition plan at two MCAC meetings</td>
<td>May 13, 2014</td>
<td>July 8, 2014</td>
<td>Advisories to MCAC</td>
<td>MCAC advised of Waiver renewals and when will be submitted per agency policy</td>
<td></td>
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<tr>
<td>Tribal Notification</td>
<td>Notice is provided to the Catawba Indian Nation on the renewal of the waiver and a conference call is held to discuss</td>
<td>June 5 &amp; 23, 2014</td>
<td>June 25, 2014</td>
<td>Proposed waiver renewal changes</td>
<td>Any questions or concerns about waiver renewals addressed on phone call</td>
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### Section 4. Communications continued

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<tr>
<td>Public Notice provided</td>
<td>Notice of the waiver renewals posted to the SCDHHS website, sent out via listserv to any interested parties, and shared with members of the large Stakeholder Workgroup</td>
<td>August 6, 2014</td>
<td>September 5, 2014</td>
<td>Public notice document, PDD Transition plan Draft document</td>
<td>SCDHHS, SCDDSN, Beneficiaries, families, Providers, Advocacy Groups</td>
<td>Public notice posted with transition plan for PDD waiver</td>
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<tr>
<td>Public comment – waiver renewals and transition plan</td>
<td>SCDHHS gathered public comments for review through multiple methods and made appropriate changes to the waiver renewals and transition plan. Comments were gathered via mail, email, and in person.</td>
<td>August 6, 2014</td>
<td>September 5, 2014</td>
<td>Public notice document, PDD Transition plan Draft document</td>
<td>SCDHHS, SCDDSN, Beneficiaries, families, Providers, Advocacy Groups</td>
<td>Public notice posted with transition plan for PDD waiver</td>
</tr>
<tr>
<td>Public meetings conducted on Waiver Renewals and Transition Plan</td>
<td>4 public meetings held throughout state for public to comment on proposed waiver renewal changes and waiver transition plan</td>
<td>August 12, 2014</td>
<td>August 21, 2014</td>
<td>Public notice document, PDD Transition plan Draft document</td>
<td>SCDHHS, SCDDSN, Beneficiaries, families, Providers, Advocacy Groups</td>
<td>Public notice posted with transition plan for PDD waiver</td>
</tr>
<tr>
<td>Public Comment collection and revisions</td>
<td>SCDHHS reviews all comments on the waiver renewals and transition plan and makes appropriate changes to both documents</td>
<td>September 6, 2014</td>
<td>September 30, 2014</td>
<td>Public comments and any state response documents</td>
<td>SCDHHS</td>
<td>Public comments considered and appropriately incorporated into documents</td>
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